

FILED  
FEB - 5 2008  
RICHARD M. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TO THE CLERK of THE COURT, of THE  
UNITED STATES FEDERAL COURT FOR THE  
NORTHERN DISTRICT of CALIFORNIA.

450 Golden Gate Avenue, San Francisco, California.  
94102. Hon. Richard Seeborg, #: 5:06-CV-00069 JW

E-filing

Patition for Writ of Mandate

CV 08

0803

JW (PR)

1. Appellant  
Raul, Rivera, Chavez, "Self," Colin, Counsel,

Docket:

Superior Court No. 159787, CC330619,

CC788137/9280099-9176541

Patition - Statement;

Writ of Mandate, attached;

Statement. Date: Jan. 19th 2008.

vs.  
People of State of California, Bill Lockyer,  
Board of Prison Terms, Superior Court of  
Santa Clara, Respondents

I Raul R. Chavez, the Patitioner and Defendant in the above-caption case,  
state: that in the action entitled: People of The State of California vs.  
Raul, Rivera, Chavez, Criminal Action No. CC788137. The Respondent in  
the Superior Court of The County of Santa Clara.

Grounds for which I seek releif On: Jan. 9th 08. I motion Judge -  
Nadler of Breech of Duty by counsel: J. Delgado, for Subpoena of  
Written Police Reports. Maiestrate made comment counsel don't ha-  
ve to obtain anything. She, counsel. stated: she get Abstract of Jud-  
gemet Computer Printed Reproduction Offical Record for Pre-Lim.  
On: Jan. 10-08. I waived Marsden Motion-disqualify counsel. made Prior  
day I let counsel know that on: Judge May 10-21-92. Feloney Minut-  
es Committment Certification Term of 10 Mth's Top/Bottom. No lo-  
Contender P.C. §42.29 Conditional Plea Agreement Sentencing Pr-  
oceedures §91.20 [e] n17 Yet on: Record states P.C. §288(a) oral co-  
pulation. This is not my Charge and I was not required to Regest-  
er P.C. §290. my matter acusation L.&L., No Physical Evidence §91.21 [2].  
violated; waived formal Probation Report. "Credits Only Agreeeme-  
nt. at: Final Judgement on: 11-13-92. concerning §91.20 [e] n118 Req-  
uest to Pull Plea Back. denied also, Courts had Sealed my Case.  
also on: 10th of Jan. 08. Delgado stated Court Record Reporter;  
"Sandy Ney" didn't error Penal Code stated with small (a) was L.&L.  
On: Dec. 4th 07. Granted Faretta Waiver. filed in Triplicate: CR-125/JV-  
(1.)

U.S. Federal Court For The Northern District of  
California. 450 Golden Gate Ave. San Francisco, Ca.  
94102. Judge Seeborg #: 5:06-CV-00069 JW filed date: -  
-01-09-06.

Patition for Writ of Mandate / Statement

Raul, Rivera, Chavez, Self, Colin, CC788137,

vs.

People of State of California, Entity's Employed.

Follow Up Page

-525 with Division Leaal Resources Coordinator on: 12-11-07. Yet returned for signature by defendant and to remail to Shreiff Dep-t. on: Jan. 10th 08. Motion for Submission in triplicate Records and other Duces Tecum sent by order of Judac Majoney to verify dismissal of Farettta and Challenge along with Proof of Service. That Documents Court Seal be made official on The Record. were returned after I.O.C. Present in Court on: Dec. 26th 07. It is a Miscrage of Justice and I address This Court To Grant Writ of Mandate by Reviewing Prior Submitted Records under Docket: C-94-20378 JW / #: 5:06-CV-00069 JW and other archive records under different docket No.'s Under: (P.C. §§ 7391009) Dismiss- under P.C. § 995. Patitioner has no plain speedy and adequate remedy in the ordinary course of Law other than the relief sought in this Patition. That on: Feb. 7th 08. with counsel Henry Colin, at: Prelim- Hearing other than fileing Appeal after the comission of void act. This Patition is accompanied by a supporting memorandum of Points and authorities on all appropriate points. Wherefore Patitioner Request: For such other and further relief as the court deems just and proper.

I state that this Patition is true and correct, and under Penalty of Perjury, execute it at: San Jose, California. 95110. on: January 19th 2008.

Dated: 01-19-08. Raul Rivera Chavez Raul, Rivera, Chavez,  
Appellant

(2.) Final

U.S. Federal Court of Northern District  
of California, 450 Golden Gate Ave. San  
Francisco Calif. 94102. Hon. R. Seeborg

Patition of Writ of Mandate - Statement

Raul, Rivera, Chavez, CC788137, Colin,  
vs. CC068582,

Superior Court of Santa Clara Judge Nadler, Dept. #23

People of State of California. Bill Lockyer, Date: Jan. 19th 08.

Your Honor, I ask and Request to intervene in This matter that my Rights be Protected under The U. S. Constitution. I have suffered Prejudice for Error By Clerk on 10-21-92. concerning False Charge which suffered me vindictive denials by courts being discriminated due to severity of The Charge which I claim is not correct to which I Pleaded to in Judge May Hearing in Oct. 21-1992. I have suffered Prison and related Requirements to Penal Code alligation on my Rap Sheet causing me Physical and Mental Anguish also due to case CC068-582 Sentenced: 04/08/2000. Due Process Violations on this case at Judge Lisk, by counsel; Lopez, and Public Defenders Office. not obtaining Duces Tecum Subpoena I include in This Patition. I am Grived due to lack of Officials ignoring Review to my Claims I submit I Demand Justice Be Served In My Behalf, By This Court in up comming Preliminary Hearing On: 02-07-08.

I state under Penalty of Perjury Patition-Statement True and Correct Execute it at: San Jose, Ca. 95110, On: January 19th 2008.

Dated: 01-19th 08. Raul, Rivera Chavez Raul Rivera Chavez

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Raul, Rivera, Chavez, 07082733 Self</b>		FOR COURT USE ONLY
TELEPHONE NO:	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name): <b>Raul, Rivera, Chavez</b>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Santa Clara</b>		
STREET ADDRESS: <b>190 W. Hedding St</b>		
MAILING ADDRESS:		
CITY AND ZIP CODE: <b>San Jose, Calif. 95110</b>		
BRANCH NAME: <b>Dept. 23</b>		
CASE NAME: <b>Raul, Rivera, Chavez,</b>		
ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum		CASE NUMBER: <b>CC788137</b>

You must attend court or provide to the court the documents listed below. Follow the orders checked in item 2 below. If you do not, the judge can fine you, send you to jail, or issue a warrant for your arrest.

- To: (name or business) **San Jose Police Dept. / Santa Clara Court, Santa Clara Ca.**
- You must follow the court order(s) checked below:
  - ☐ Attend the hearing.
  - ☐ Attend the hearing and bring all items checked in c. below.
  - ☒ Provide a copy of these items to the court (Do not use this form to obtain Juvenile Court records):
    - (1) **Case: CC068582 Handwritten on site Police Reports dated: 4/13/2000**
    - (2) **Case: 159787 Handwritten on site victim statement Police Report dated: 7-19-92.**
    - (3) **Court Certification Docket of sentence Oct. 21-92 By Judge May**
  - ☐ If this box is checked, provide all items listed on the attached sheet labeled "Provide These Items." **Santa Clara Court Bld.**
  - ☐ If someone else is responsible for maintaining the items checked in c. above, that person (the Custodian of Records) must also attend the hearing.
  - ☐ If this box is checked and you deliver all items listed above to the court within 5 days of service of this order, you do not have to attend court if you follow the instructions in item 5.

- Court Hearing Date:** Date: **02/07/08** Time: **9:30**

**The court hearing will be at (name and address of court):** **Superior Court 190 W. Hedding St. San Jose, Ca. 95110.**

Dept.: **23** Rm.: \_\_\_\_\_

Call the person listed in item 4 below to make sure the hearing date has not changed. If you cannot go to court on this date, you must get permission from the person in item 4. You may be entitled to witness fees, mileage, or both, in the discretion of the court. Ask the person in item 4 after your appearance.

- The person who has required you to attend court or provide documents is:

Name: **Raul, Rivera, Chavez** Phone No.: \_\_\_\_\_

Address: **885 N. San Pedro St M.J.N. 6-A-28-L**

Number, Street, Apt. No.

**San Jose, California 95110.**

City State Zip

Date: **Jan. 29th 08.** Signature: **Raul Rivera Chavez**

Name and Title

FOR COURT USE ONLY

**PROOF OF SERVICE BY MAIL**

I, Raul, Rivera, Chavez, declare:

I am, and was at the time of the service hereinafter mentioned, over the age of 18 years and is a party to the above-entitled cause. My (residence or business) address is

51 Fairview Ct. Hollister, Calif. 95023, - P.O. Box, -  
-95053, San Jose, Calif. 95116.

and I am a resident of, or employed in, Santa Clara County, California.

On the date of January 19th 2008, I served the U.S. Federal

Court Patition of Writ of Mandate, Civil Cover

Sheet Prisoner Funds Form 9395 dated: 12/27/07 - 01/15/08

- CR-125/JV-525, Statement and Proof of Service Total (8) sheet  
 (exact title of document(s) served)

by depositing a copy of the document(s) in the United States mail at

(location) Alviso City, (city) Santa Clara

Bay Area County, California in a sealed envelope, with postage fully prepaid, addressed as follows: (In the space below insert the name and mailing address of each person you are serving with these documents. If the person is a party to the action or an attorney for a party, indicate that with the address).

United States Northern District Federal Court of  
Calif, 450 Golden Gate Ave. Hon. Judge Seebor-  
-g San Francisco, Calif. 94102.

At the time of mailing there was regular delivery of United States mail between the place of deposit and the place of address.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 01-19-2008

Raul Rivera Chavez,

(Signature of person mailing)

Raul Rivera Chavez,

(Name of person mailing, typed or printed)

OMNIBRARY NETWORK SALES  
 N 17490  
 S. MD 43178-7490

CC788137

098955 ORDER DATE 15.08  
 ORDER REF 44033  
 OFF REF 44034  
 510160 001 BGS FUND BAL 4.75  
 PRICE 1

DESCRIPTION	ITEM	PRICE	TOTAL
15 Q/TAB 100 CT		4.50	4.50
CHICKEN RANCH		.95	.95

0882 PP STAMPED ENVELOPE 1XCT ✓

SUB-TOTAL 4.75

SALES TAX 0.00

ORDER TOTAL 4.75

FUND BALANCE 0.01

2005

REJECTED ITEMS

ITEM	ITEM DESCRIPTION	REASON
2	0010 ADD REEFEE COFFEE	Insufficient Funds

ITEMS HAVEY/REIS AND/OR DAMAGES HERE.

ITEM# QUANTITY CATEGORY/DESCRIPTION





KEEFE COMMISSARY NETWORK

**INMATE COMMISSARY CONCERN FORM**  
 Santa Clara County Department of Corrections

CC788137 <sup>28</sup>  
 TRACKING NUMBER

9395 ✓

Category Legend:	
Missing/Shortages	①
Wrong Product Sent	2
Vending	3
Miscellaneous	4

Date Sent: 12-19-07.  
~~12-26-07~~ 12-26-07.

Name: Raul Rivera Chavez

PFN#: BCF562

Location: MJN.6-A-28-L

Category: 1

Concern: On both dates above I sent commissary  
Order Form correctly filled out and signed  
no delivery by canteen on both submitted  
orders do you have log on submitted form's  
for reason why Product not delivered, Proof of Service  
 Date: 12-27th 07.

Response: You ordered indigent items but you have  
\$ 7.56 on your books. You cannot order  
indigent items if you have money. D. Bega

Rebecca Cohn (D)  
Field Rep. Nicole Harrea,  
901 Campisi Way #300  
Cambell, Calif. 95008.

30 JAN 2008



USA 41

RECEIVED  
JAN 8 1 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

To: THE CLERK of  
COURT.  
U.S. Federal Co  
The Northern Dis  
of Calif. Hon. See  
450 Golden Gate  
San Francisco, Calif

LEGAL MAIL